

---

## Exemptions

A request for a reasonable accommodation or modification may be denied if the request causes: an undue hardship; a financial burden upon the housing provider; a fundamental alteration in the services provided; or cause a direct threat to the health or safety of others.

NOTE: All requests must be reasonable.

## Recognize Housing Discrimination

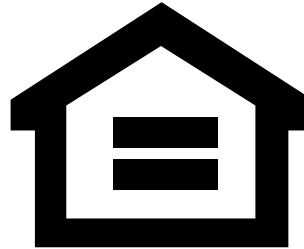
The landlord or owner may not perform any of the following actions:

- Require that all tenants be capable of "independent living."
- Ask about drug-using habits.
- Prevent tenants from having a guide dog or any other kind of aid animal that is needed because of a disability.
- Inquire into the nature or severity of a disability.
- Demand rent by the 1<sup>st</sup> of the month although disability checks comes later in the month.
- Demand an additional security deposit because of a disability.
- Deny access to recreation facilities, parking privileges or other privileges and services available to other residents.

### If you suspect that you have been discriminated against, contact:

Stark County Regional Planning Commission  
**Stark County Fair Housing Department**  
201 Third Street NE, Suite 201  
Canton, Ohio 44702-1211  
**330-451-7775**

## FAIR HOUSING IS THE LAW!



EQUAL HOUSING  
OPPORTUNITY

The law clearly protects persons with disabilities. Stark County Fair Housing Department provides assistance, free of charge, to persons residing in Stark County, including the city of Alliance. Canton and Massillon residents need to call the appropriate city.

This brochure is intended to convey information. Nothing in this brochure should be relied upon as legal advice, nor should this brochure be regarded as creating an attorney-client relationship.

Funded by:  
Community Development Block Grant  
U.S. Department of HUD

# *DISABILITY RIGHTS IN HOUSING*



Stark County Regional Planning Commission  
**Stark County Fair Housing Department**  
201 Third Street NE, Suite 201  
Canton, Ohio 44702-1211  
**330-451-7775**  
Fax: 330-451-7990  
Website: [www.rpc.co.stark.oh.us](http://www.rpc.co.stark.oh.us)

## Fair Housing is the Law

Title VIII of the Civil Rights Act of 1968, Federal Fair Housing Law as amended, makes it illegal to discriminate in housing based on race, color, sex, religion, national origin, disability or familial status. The state of Ohio added two additional protected classes which include ancestry and military status.

## People with Disabilities

According to the Fair Housing Amendment Act of 1988, disability is defined as a person with a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS/HIV, mental retardation) that substantially limits one or more major life activities. Disability also applies to any person who has a record of having such impairment, or being regarded as having such impairment. Such term does not include current, illegal use of or addiction to a controlled substance.

Individuals diagnosed with HIV/AIDS are covered under the 1988 Fair Housing Law. The disease is considered a disability and therefore, cannot be discriminated against. Persons with HIV/AIDS have the same right to choose quality, affordable housing, as do persons without HIV/AIDS.



Persons who have disabilities are entitled to the same full enjoyment of their home as those persons without disabilities. In order to fully enjoy the unit, it may be necessary to have specific

accommodations or modifications made to a dwelling unit.

## Reasonable Accommodation

Accommodations are alterations in the type of services being provided by a landlord or agent. There are times when the policies of a particular landlord or complex prevent people with disabilities from utilizing the services that they need. Landlords must make reasonable accommodations in their policies if it have the effect of discouraging persons with disabilities from living in the dwelling unit.

The Fair Housing Act makes it illegal to “refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling.”

### Common accommodations include:

- Providing a parking space for a disabled person when the complex doesn't have assigned parking.
- Contacting a caseworker or third party in case of behavior problems, rather than moving straight to an eviction.
- Adjusting rental due date to accommodate alternate forms of income.
- Issuing keys to personal assistants.
- Keeping laundry room door closed so those fumes do not make someone ill who has multiple chemical sensitivity (MCS).
- Changing a no pet policy to permit a disabled person to have a service or therapeutic animal with no increase in security deposit.



Service animals, such as guide dogs, helper dogs, companion animals, and therapeutic animals are not pets, and therefore should not be regulated by “no pets” policies. To ban such animals is a clear act of discrimination.

A landlord who fails or refuses to provide a reasonable accommodation is subject to the same penalties under the Fair Housing Act as a landlord who intentionally discriminates on the basis of disability.

## Reasonable Modification

Modification means any changes to the public or common use areas of a building or any change to a dwelling unit to make it accessible to those with mobility impairments.

When a tenant needs modifications to the structure of a unit to make it accessible, it is not the landlord's responsibility to pay for the modifications. A landlord may even require the tenant to set up an escrow account to ensure that the modifications can be removed when the tenant moves out. However, a landlord may not refuse any request for reasonable modifications.

### Common modifications include:

- Building ramps over or next to staircases.
- Removal of doors on kitchen cabinets.
- Putting grab bars in showers and bathrooms.
- Widening the doorway so a wheelchair can enter.
- Putting flashing lights in for doorbells and smoke alarms for the hearing impaired.

It is often beneficial for the landlord to make such improvements and modifications, especially if the landlord plans to keep the improvements long term. In this way, the landlord can be assured of the quality of the workmanship.

